

United States District Court
Eastern District of California

Curtis J. Williams,

Plaintiff, No. Civ. S 05-0164 DFL PAN P

vs. Order

R. W. Sandham, et al.,

Defendants.

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Plaintiff is a prisoner proceeding in forma pauperis and without counsel in a civil rights action.

20 The United States Marshal has returned process directed to
21 defendant P. Mangis unserved because he could not be found.
22 Plaintiff must provide new information about where this defendant
23 may be served with process. Plaintiff may seek such information
24 through discovery, the California Public Records Act, California
25 Government Code § 6250, et seq., or any other means available but
26 must proceed with haste because Fed. R. Civ. P. 4(m) requires an

1 action be dismissed as to a defendant not served within 120 days
2 after filing the complaint unless the time is enlarged based upon
3 a demonstration of good cause. If plaintiff's access to the
4 required information is denied or unreasonably delayed, plaintiff
5 may seek judicial intervention.

6 Accordingly:

7 1. The clerk of the court shall mail plaintiff one form
8 USM-285 and a copy of the pleading filed January 26, 2005.

9 2. Within 90 days from the date this order is signed,
10 plaintiff may submit the attached Notice of Submission of
11 Documents with a completed form USM-285 providing instructions
12 for service of process upon defendant P. Mangis and two copies of
13 the pleading provided to plaintiff.

14 3. If plaintiff does not provide new instructions for
15 service of process upon defendant P. Mangis within the time
16 allowed or show good cause for such failure I will recommend this
17 action be dismissed as to that defendant.

18 So ordered.

19 Dated: October 25, 2005.

20 _____/s/ Peter A. Nowinski_____
21 PETER A. NOWINSKI
22 Magistrate Judge
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United States District Court
Eastern District of California

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Plaintiff,

No. Civ. S-05-0164 DFL PAN P

vs.

Notice of Submission of Documents

R. W. Sandham, et al.,

Defendants.

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Plaintiff hereby submits the following documents in
compliance with the court's order filed _____:

1 completed summons form

1 completed form USM-285

2 copies of the January 26, 2005
Complaint

Dated: _____

Plaintiff